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PPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/084,907	02/28/2002		Lin Yang	J6748(C)	8233	
201	7590	06/08/2004	·	EXAM	EXAMINER	
UNILEVER				COLE, MONIQUE T		
PATENT D 45 RIVER I		ENT		ART UNIT	PAPER NUMBER	
EDGEWAT	ER, NJ (7020		1743		

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

_		Application No.	Applicant(s)				
Office A -4i Comment		10/084,907	YANG ET AL.				
	Office Action Summary	Examiner	Art Unit				
_		Monique T. Cole	1743				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address				
THE - Exte after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It is period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	86(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely, the mailing date of this communication. D (35 U.S.C. § 133).				
Status		·					
1)⊠	Responsive to communication(s) filed on 29 M	arch 2004.					
2a)⊠	This action is FINAL . 2b) ☐ This action is non-final.						
3)[Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposit	ion of Claims						
4)⊠	Claim(s) 1-11 is/are pending in the application.						
=	4a) Of the above claim(s) is/are withdraw	vn from consideration.					
5)□	Claim(s) is/are allowed.						
6)⊠	Claim(s) <u>1-11</u> is/are rejected.						
• • • • • • • • • • • • • • • • • • • •	Claim(s) is/are objected to.		•				
8)[Claim(s) are subject to restriction and/or	election requirement.					
Applicati	on Papers						
9)[]	The specification is objected to by the Examine	т.					
10)	The drawing(s) filed on is/are: a) acce	epted or b) \square objected to by the E	Examiner.				
	Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
	Replacement drawing sheet(s) including the correct		* *				
11)	The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.				
Priority (ınder 35 U.S.C. § 119						
	Acknowledgment is made of a claim for foreign ☐ All b)☐ Some * c)☐ None of:	priority under 35 U.S.C. § 119(a)	i-(d) or (f).				
u,	1. ☐ Certified copies of the priority documents	s have been received.					
	2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the prior	- *					
	application from the International Bureau	•	· ·				
* 5	See the attached detailed Office action for a list	of the certified copies not receive	d.				
Attachmen		Λ □ 1=4== 4= Λ ···	/DTO 440)				
	e of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948)	4) Linterview Summary Paper No(s)/Mail Da	,				
3) Infor	mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		atent Application (PTO-152)				
	r No(s)/Mail Date	6)					

Application/Control Number: 10/084,907

Art Unit: 1743

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-6, 9, 10 & 11 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

See MPEP \$ 2172.01. The omitted steps are: a step reciting mixing the selected perfume component and the surfactant system component in a manner to prepare a composition according to claim 1.

Claims 7 & 8 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP \$ 2172.01. Claim 7 does not recite any steps for changing a fragrance note in a composition subsequent to dilution. The claim merely provides for selection of a perfume component. This does not allow one of skill in the art to change a fragrance note. Recommended steps might include: "providing an initial fragrance composition; diluting said initial fragrance composition with a organic carrier; selecting an additional fragrance to be added to the mixture of initial fragrance composition and organic carrier such that it meets the requirements of having a PBI greater than 3; etc." Claim 8 also has omitted method steps. The requisite steps are those that will allow one to accomplish the stated goal of the claim, to "introduce a fragrance to a composition subsequent to

Art Unit: 1743

dilution." The claim should include steps similar to those suggested for claim 7. Further clarification is required.

Response to Arguments

- 2. Applicant's arguments, see page 8, filed 3/1/2004, with respect to the obviousness-double patenting rejections have been fully considered and are persuasive. The obviousness-double patent rejections over copending applications 10/085,736 and 10/085,721has been withdrawn.
- 3. Applicant's arguments filed 3/1/2004 have been fully considered but they are not persuasive. The 35 USC 112, 2nd paragraph rejections over the instant claims stand.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 1743

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique T. Cole whose telephone number is 703-305-0447. The examiner can normally be reached on Monday-Thursday from 6:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 703-308-4037. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0661.

Monique T. Cole Examiner Art Unit 1743

MC MC

Supervisory Patent Examiner Technology Center 1700